

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC PHARMACEUTICALS  
PRICING ANTITRUST LITIGATION**

**THIS DOCUMENT RELATES TO:**

*J M Smith Corp. v. Actavis Holdco U.S. Inc., et al.*

**MDL 2724  
16-MD-2724  
HON. CYNTHIA M. RUFE**

**Individual Case No: 20-4370**

**ORDER**

**AND NOW**, this 18th day of November 2020, upon consideration of the attached Joint Stipulation to Waive Service and Extend the Deadline for Defendant Emcure to Respond to the complaint filed by J M Smith Corp., it is hereby **ORDERED** that the Stipulation is **APPROVED**.

It is so **ORDERED**.

**BY THE COURT:**

*/s/ Cynthia M. Rufe*

**CYNTHIA M. RUFE, J.**

**IN THE UNITED STATES DISTRICT COURT  
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IN RE: GENERIC PHARMACEUTICALS  
PRICING ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

*J M Smith Corp. v. Actavis Holdco U.S. Inc.,  
et al,*

**MDL 2724  
16-MD-2724  
Individual Case No: 20-cv-4370-CMR**

**HON. CYNTHIA M. RUFÉ**

**JOINT STIPULATION TO WAIVE SERVICE AND EXTEND THE DEADLINE  
FOR DEFENDANT EMCURE TO RESPOND TO PLAINTIFFS' COMPLAINT**

WHEREAS, Plaintiff J M Smith Corporation ("Plaintiff") filed a Complaint on January 19, 2018, in *J M Smith Corp. v. Actavis Holdco U.S. Inc., et al*, No. 20-cv-4370-CMR, which was centralized for pretrial proceedings as part of *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, No. 16-md-02724-CMR, MDL No. 2724;

WHEREAS, Defendant Emcure Pharmaceuticals, Ltd. ("Emcure") has agreed to waive service of the Complaint and the parties have reached an agreement to extend the time within which Emcure must move against, answer, or otherwise respond to the Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel, on behalf of their respective clients, as follows:

1. Emcure waives service of Plaintiffs' Complaint and Summonses pursuant to Federal Rule of Civil Procedure 4(d), and this Stipulation shall be deemed proof of that waiver pursuant to Federal Rule of Civil Procedure 4(d)(4).

2. In exchange for its agreement to waive service, the deadline for Emcure to respond to Plaintiffs' Complaint shall be ADJOURNED until such time that the Court enters a Case Management Order setting such a schedule.

3. This stipulation does not constitute a waiver by Emcure of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12.

IT IS SO STIPULATED.

Dated: November 18, 2020

Respectfully submitted,

By: 

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Plaintiffs***

By: /s/ ***James E. Tyrrell, Jr.***

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